**IN THE HIGH COURT OF JUDICATURE OF BOMBAY**

**CIVIL APPELLATE JURISDICTION**

APPEAL FROM ORDER NO.362 OF 2004

Ramesh Nivrutti Deokar & Anr. ..Appellants.

V/s.

Unique Estate Development Co. Ltd. & Ors. ..Respondents.

Mr.P.K.Hushing for appellants.

Mr.R.D.Soni for respondent no.1.

**CORAM: A.M.KHANWILKAR,J**

**DATE : JUNE 23, 2006.**

**P.C. :**

1. Heard counsel for the parties.

2. This appeal from order takes exception to the Judgment and order passed by the trial Court refusing to grant interim relief during pendency of the suit. That order was passed on 4th March, 2003. Indeed, this appeal has been filed but no steps were taken for listing of the appeal or early hearing since then nor any ad-interim order has been granted by this court. In this peculiar circumstances, at this distance of time, I see no propriety in considering the prayer for interim relief, instead interest of justice would be met, if the trial court is directed to expedite the hearing of the suit preferably to be

finally disposed of by end of March, 2007. All questions are left open to be decided on its own merits in accordance with the law, uninfluenced by observations made in the impugned order.

3. Hearing of the suit is expedited as parties through counsel assure that necessary cooperation will be given to the trial court for early disposal of the suit. No request for adjournment will be made before the trial court. That assurance is accepted. Appeal disposed of on the above terms.